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Attorneys for Defendants Romeo Aranas,
Bruce Bannister, James Cox, Sheryl Foster,
Ira Hollingsworth, Roy Hookham,
Nevada Board of State Prison Commissioners,
Nevada Department of Corrections,
Dwight Neven, and Brian Williams

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DONALD MOON,

Plaintiff,

vs.

JAMES COX, *et al.*,

Defendants.

CASE NO. 2:14-cv-02140-APG-GWF

**STIPULATION AND ORDER TO
EXCUSE INDIVIDUAL DEFENDANTS
FROM SETTLEMENT CONFERENCE**

Consolidated with Case No. 2:16-cv-02082-
APG-PAL

DONALD J. BOGOTAITIS,

Plaintiff,

vs.

STATE OF NEVADA, ex rel, the BOARD
OF COMMISSIONERS, *et al.*,

Defendants.

The parties, via counsel, hereby request this Court excuse the personal attendance of certain individual Defendants for the Settlement Conference in the above named case. The parties submitted a Stipulation and Order to Extend Discovery and Requested a Settlement Conference on or about June 13, 2017. (ECF No. 76).

1 Magistrate Judge Foley Ordered a telephonic appearance to clarify the stipulation.
2 (ECF No. 76). The Court set the Settlement Conference for September 15, 2017 at 9:00
3 AM, based upon the conference and subsequent discussion between Chambers and
4 Counsel.

5 In the initial Stipulation (ECF No. 76) the parties requested that certain
6 Defendants be excused. Defendants Bruce Bannister, James Cox, and Sheryl Foster are
7 all retired and no longer reside in Las Vegas. The parties submitted that these
8 Defendants did not have current knowledge as to the revised Housing policy, and agreed
9 that their presence is not necessary for successful negotiations, and additionally the cost
10 to fly these persons to Las Vegas was cost prohibitive.

11 During the telephonic appearance, Frank Toddre II, counsel for the Defendants
12 raised an oral motion requesting that these three individuals be excused from attending
13 the Conference. Plaintiff Counsel Travis Barrick advised on the record that he did not
14 object to these individuals being excused from attending the conference in person.

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The Order setting the Settlement Conference did not contain any specific language excusing the personal attendance of these parties. As such, in an abundance of caution the parties submit this Stipulation and Order excusing the personal attendance of James Cox, Sheryl Foster, and Dr. Bruce Bannister.

DATED: July 7, 2017.

GALLIAN WELKER &
BECKSTROM, L.C.

By: /s/ Travis N. Barrick

Travis N. Barrick, Esq.
Nevada Bar No. 9257
540 E. St. Louis Avenue
Las Vegas, Nevada 89104
Attorney for Plaintiffs
In conjunction with the Pro Bono
Program and the Legal Aid Center
Of Southern Nevada

DATED: July 7, 2017.

ADAM PAUL LAXALT
Nevada Attorney General

By: /s/ Frank A. Toddre II


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Attorneys for Defendants
Sheryl Foster, Romeo Aranas, Bruce
Bannister, James Cox, Ira Hollingsworth,
Roy Hookham, Dwight Neven, Brian
Williams, Nevada Board of State Prison
Commissioners, Nevada Department
of Corrections

ORDER:

GOOD CAUSE APPEARING, it is SO ORDERED, that Defendants Sheryl Foster, Bruce Bannister, and James Cox be excused from attending the September 15, 2017 Settlement Conference.

DATED this 13th day of July 2017.


MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA